



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Benjamin Ethan Reubinoff, et al.      **Examiner:** Deborah Crouch  
**Serial No.:** 09/970,543      **Art Unit:** 1632  
**Filed:** October 4, 2001      **Docket:** 14418Z  
**For:** EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM      **Date:** December 10, 2003

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 C.F.R. §§ 1.111 and 1.143**

Sir:

In response to the Office Action dated September 15, 2003, setting forth a requirement for restriction, and in accordance with the provisions of 37 C.F.R. §§ 1.111 and 1.143, Applicants provisionally elect, with traverse, Group IV, Claims 65-73, drawn to a method of transplanting ES derived neural progenitor cells in a host, a method of producing a stable graft and a method of modifying the nervous system of a host, classified in class 424, subclass 93.2, for continued prosecution.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on December 10, 2003.

Dated: December 10, 2003

Frank S. DiGilio